

MEMO ENDORSED

From: John Floyd III-21A0510

To: United States District Court/Southern District of New York.

Date: July 26th, 2021Subject: Request for Pro-Bono Counsel. Floyd v. Rosen et al 21-cv-01668 (KMK) / 21-cv-04096 (NSR)
/ Floyd v. Filipawski

To whom it may concern,

I am writing this letter to humbly request the court grant me a request for assignment of Pro-Bono Counsel. I've previously submitted ~~an~~ request application through this Court to grant me assignment of counsel for case No. 21-cv-01668 (KMK), as well as numerous letters requesting the same grant. My application was denied without prejudice and I had the ability to submit/renew my request. I am currently an incarcerated pro-se litigant, who is a participant of the shock incarceration program. This program is a 6 month rigorous program, where myself and fellow inmates are constantly doing military bearing, constant programming, A.S.A.T, Education, Network, Vocational, and work assignments. Due to my participation and compliance in this program, I am not afforded the adequate time needed to visit the Law-library and or access legal materials, needed to assist me in learning Fed. Rule. Civ. Proc. Rules, and having the appropriate time (Personal) to study, review, and properly prepare documents to be adduced, or motions etc to be filed in the time frames allotted. I have to risk the program and sneak to try and review documents sent to me, or study and to try to properly prepare and submit documentation. I've stated previously and submitted documentation showing I've reached out to multiple agencies and law firms to try and obtain Pro-Bono Counsel, and I have yet been able to successfully obtain one, and or hear a response back from the legal aid society in Manhattan N.Y., the Orange County bar association etc. Now I am in a program where I am limited on the phones and only allowed to use the phone every other weekend, due to the programs structure. As I stated before I am a layman of law, and due to my current situation I am financially unable to ~~retain~~ retain a civil lawyer. I am currently waiting for a response back from several new lawyers I reached out to via mail. The legal aid society civil division in the Bronx NY, Benjamin Ostrer in Chester N.Y. and Odile and associates located in Brooklyn N.Y. Any assistance you may ~~be~~ be able to provide will be greatly appreciated. I look forward to your most earliest convenience response in the matter. Thank you for your time and consideration.

Respectfully Submitted

J. Floyd III 21A0510
John Floyd IIICc: JF/JP
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By Orders dated June 22, 2021 and July 7, 2021, the Court denied without prejudice Plaintiff's previous applications for appointment of pro bono counsel. (See Dkt. Nos. 16, 23.) Plaintiff still has not provided any information to demonstrate a change in circumstances warranting the appointment of pro bono counsel based on the factors enumerated in *Hodge*. (See *id.*)

Plaintiff's instant requests for appointment of counsel, (Dkt. Nos. 24, 31), are denied without prejudice at this time, however, Plaintiff is instructed not to file any additional requests unless Plaintiff can provide information to the Court demonstrating a change in circumstances to warrant the appointment of pro bono counsel based on the *Hodge* factors, as outlined in the Court's June 22, 2021 Order, (see Dkt. No. 16).

The Clerk of Court is respectfully directed to mail a copy of this Order to Plaintiff and terminate the pending motion at Dkt. No. 25.

SO ORDERED


KENNETH M. KARAS U.S.D.J.

10/12/2021

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OFFENDER CORRESPONDENCE PROGRAM

NAME: John Floyd III DIN: 21A0510